

**Mission Bay Landfill  
Technical Advisory Committee  
City Administration Building  
12th Floor Conference Room B  
May 12, 2006  
10:00am to 12:00pm**

**Meeting Minutes**

TAC Members Present

Donna Frye  
Judy Swink  
Jeffrey Gordon, MD

George Murphy  
Robert Curtis  
Brian McDaniel

David Kennedy, DDS  
Barry Pulver  
David Huntley, Ph.D.

TAC Members Absent

Bruce Reznik  
John Wilks

Robert Tukey Ph.D.  
Rebecca Lafreniere

Ben Leaf

Interested Parties/Alternates

Scott Andrews  
Susan Orlofsky

Kathleen Blavatt  
Tessa McRae

Jace Miller

Staff

Chris Gonaver  
Steven Fontana

Ray Purtee  
Mary Ann Kempczenski

Sylvia Castillo

The meeting was called to order by Councilmember Frye. Self introductions were made. A quorum was present.

**Approval of Minutes**

On page 1 of the minutes, Dr. Kennedy recommended deleting the word “minority” from the phrase “draft minority report,” and anywhere else it appears. Replace the word with “committee” Report. Minutes were approved with the word “minority” removed anywhere it appears.

## **Review Draft Final Report**

Dr. Gordon recommended discussing the SCS report on two (2) levels. The first is to discuss changes we think have to be made as the higher priority. 2<sup>nd</sup> priority would be changes people would like made. And then 3<sup>rd</sup> would be the newest committee report.

Councilmember Frye: Is it the sense of the group today to review comments and maybe approve the SCS report?

Dr. Huntley feels that if he were SCS, he wouldn't want another report written by someone else to accompany their document.

CM Frye answered this new committee report could go to the agencies but not be part of the SCS report, though it would be attached to it. We could review the SCS report today and then perhaps review the new report at another meeting, and send the new report to agencies a month later? The other option is not reviewing the report.

Dr. Kennedy is concerned that the executive summary does not accurately reflect the results of the report. He would like the new report to be the executive summary and to go with the SCS report.

Dr. Gordon feels the purpose of the project was not for regulatory review initiated by public agencies; rather it was to answer public inquiries. Since sending it to agencies is an unusual courtesy, it should have a cover letter or committee report, so he agrees with Dr. Kennedy.

CM Frye: To summarize what we can accomplish today: we begin with the SCS report; discuss issues or changes, then if time permits, go to the new report review. Then in another meeting, finalize the reports for sending to the regulatory agencies.

Chris Gonaver said the city would attach a cover memo to the report along with the TAC's comments. CM Frye responded that the City's cover letter should be written ASAP and distributed for TAC review.

Dr. Gordon began addressing his comments to the report. He feels that the CD's of the revised report came too late for a through review. The list of Mission Bay Landfill Technical Advisory Committee voting members needs to have each member's title and position and 2 or 3 notations of their organizations and qualifications.

A motion was made to include in the list of voting members their occupation and organization, and each individual member will have the option to review the information listed for them.

There are too many tables listing different COPC's- it would be clearer to summarize them all in one table. Dr. Gordon requested to have a summary list of all COPC's that were tested for, in the format of table 8.3.1., with abbreviations explained and reference doses shown.

He has trouble extracting basic issues from the report, what was looked for in each media, and what was found. In the HHA, he couldn't find what, where, and when mercury was found?

On page 164, why is thallium talked about here? Tessa McRae replied it was in response to the TAC's request to include "hot button" issues.

A question as asked: If the method of testing for thallium for 15 years of study is invalid, what invalid method was used? Tessa replied she would have to look up the specific method used in the earlier studies.

A comment was made: If we are not going to use earlier data in the report, then this should be documented. Tessa replied that earlier data is all summarized in Appendix 5.

Chris Gonaver reminded the group that analytical technologies and methodologies have changed significantly in the past 20 years, so this report was engaged in to use modern sophisticated methods.

A comment was made that it might be advantageous to state in "conclusions" that thallium was currently tested for and nothing was found.

A request was made to add the word "earlier" on page 164: "Our review of earlier thallium data.." The group reviewed table 4.1 of earlier thallium data.

Dr. Gordon said that earlier Precautionary Principle (PP) reports were issued to the group but not used by SCS in the report. See page 141, the paragraph that begins "In addition...." The second sentence that begins "This fifth component...." This sentence is good and incorporates PP sense. This is because as new toxicological data is generated that data "cannot undo the fact that toxicity was observed at the previous benchmark exposure level."

CM Frye asked if there were any other comments to the SCS report?

Judy Swink recommended that to the opening paragraph of the executive summary, the sentence beginning "It is covered" be replaced with "The fill material covers the landfill..." Page ii, top of the page, "This investigation" should be "The present investigation..." Page v second paragraph, add the word "sampling" so that the sentence reads "...but not between sampling events..."

Dr. Gordon also recommended that to page iii, the second paragraph under "Landfill Cover," add that arsenic in soil "as a naturally occurring element," is the main risk driver.

A comment was made "then are you saying arsenic is never an occurrence of toxic dumping?" Answer was no, the levels were indicative of naturally occurring soil levels. If you are comparing levels without using background levels, then you can't attribute levels to the particular site.

Another comment was "If it says it's at naturally occurring levels, than you mean it couldn't have been dumped there?" Answer was the landfill doesn't appear to be the source of the arsenic, the soil is. Also, the Department of Toxic Substances Control will comment on arsenic when they receive the report.

Dr. Gordon repeated to just note in the cover summary that arsenic is naturally occurring. On page vi, first paragraph, add the phrase “as documented by prior studies” to “..deep soil mercury concentrations as documented by prior studies...”

Barry Pulver commented that after reviewing the report he was reminded of the expression by Rumsfeld, “You go the war with the Army you have, not the army you want.” Generally the report is written O.K., and something we can send to the regulatory agencies, though it’s not as he would have reported it. On Page vi, under the heading “Cancer Risk,” keep units consistent; use 20 in a million instead of 2 in one hundred thousand. On page 38 concerning thallium testing, it would be nice if SCS would make a strong statement to the effect that SCS agrees with Chuck Budinger, or some such conclusion about thallium levels.

### **Move to New Report**

Dr. Kennedy walked the group through the document “TAC Summary of Findings and Conclusions” and said he would email it out. First he feels that some of what this document says can now be taken out after seeing the SCS document. Is sampling point J24 within the landfill? It is close to the JTA ride. Some in the group disputed the language written in the report concerning the “death due to hydrogen sulfide.”

Dr. Huntley said he doesn’t dispute that in an unventilated area or excavation where oxygen is low, safety measures must be taken. A relevant statement would be “Any construction involving excavation would include OSHA regulations for gas monitoring, confined spaces, monitoring for methane, oxygen, and hydrogen sulfide.”

A comment was made that if Rebecca Lafreniere was here she could cite the Health & Safety protocols that are to be followed for excavations on landfills.

A recommendation was made that to page 1, first paragraph, drop the part of the sentence “..and one person died apparently of hydrogen sulfide gas (HS) inhalation.”

CM Frye asked the group to review the document and get your comments to Dr Kennedy. Is 30 days enough time? In the meantime Tessa will make edits to the SCS report and it sounds like the most important edit was the COPC table revision. Is there anything else people want to see?

A suggestion was made that it should point out where development will go and where children would be. So more testing should occur in those areas.

Dr. Gordon stated that he feels David (Kennedy) did a great service drafting this summary and aggressively critical consensus can be used to make it a useful document. This document can address the perspective of overall land use of the area.

CM Frye announced the next meeting date as Friday, June 16, 2006. Those working on the summary report should keep meeting on the report. On the 16<sup>th</sup>, we want to approve all reports so they can be sent to the regulatory agencies.

### **Future Meetings**

- Friday, June 16, 2006